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INTELLECTUAL PROPERTY &amp; TECHNOLOGY LAW

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**FACSIMILE TRANSMISSION**

To	PHONE NUMBER	FAX NUMBER
Mr. Charles Steven Brantly Office of Petitions United States Patent and Trademark Office	(703) 305-9175	(703) 872-9306

FROM: Robert A. Kallio	(306) 931-4410	(306) 359-6956
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Re:

DATE: February 14, 2005

OUR FILE: 1914-02-00

REPORT ANY TRANSMISSION PROBLEMS TO:	Donna L. Pastucha- (306) 347-0007
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NOTES/MESSAGE:

**CONFIDENTIALITY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately and destroy this fax. Thank you.

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**FEB 14 2005**



ROBERT A. KALLIO  
rkallio@furman-kallio.com  
(306) 931-4410

February 14, 2005

**BY FAX**

Office of Petitions  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, Virginia  
USA 22313-1450

Attention: Charles Steven Brantley

Dear Mr. Brantley:

**RE:       Renewed Petition under 37 CFR 1.137(b)  
          United States Patent Application Serial No. 09/742,101 in  
          the names of Kelly R. Krake and Liette Tousignant -  
          PICTURE HANGING DEVICE**

**Our file:   1914-02-00**

Further to your dismissal dated February 1, 2005, of our previously filed Petition to Revive, enclosed herewith please find the following incorporating the correct payment for same:

1.     Response to the outstanding Office Action, as previously filed;
2.     Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b); and
3.     Credit Card Payment Form.

We look forward to receiving your confirmation of acceptance of our Petition.

Furman & Kallio - Barristers & Solicitors, Prof. Corp.  
Patent & Trademark Agents  
Tel (306) 931-4410  
Fax (306) 931-6810  
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Regina, Canada • Saskatoon, Canada  
Please reply to Regina office  
1400 - 2002 Victoria Avenue  
Regina, Saskatchewan  
Canada S4P 0R7

United States Patent and Trademark Office  
February 14, 2005  
Page 2

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ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Yours very truly,

FURMAN & KALLIO



Robert A. Kallio

/dlp

Enclosures



PTO/SB/84 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Krake

Application No.: 09/742,101

Filed: 12/22/2000

Title: PICTURE HANGING DEVICE

Art Unit:

Examiner: Verbistky

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Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
 action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
 date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
 filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
 the form of a response to the outstanding Office Action (identify type of reply):

☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the  
 USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to  
 complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any  
 comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,  
 U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
 FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

758.00 0P

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Robert A. Kallio  
Signature

02/14/2005

Date

Robert A. Kallio  
Typed or printed name

55,952

Registration Number, if applicable

106 - 15 Innovation Boulevard  
Address

(306) 931-4410

Telephone Number

Saskatoon, SK Canada S7N 2X8  
Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.02/14/2005

Date

Donna L. Pastucha  
Signature

Donna L. Pastucha

Typed or printed name of person signing certificate

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